



N THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF LODDOCH et al

APPLN. NO.: 09/911,067

FILED:

July 23, 2001

FOR:

OPTICAL TRANSCEIVER

GROUP:

2633

**EXAMINER:** 

**DOCKET: PRINZ H1718** 

Commissioner of Patents & Trademarks Washington, D.C. 20231

## PRIOR ART DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Office Form PTOL-1449, including copies of the prior art references listed therein and a copy of the German Search Report issued in connection with a Novelty Search of Applicants' corresponding German application. Two of the references are discussed in the specification. The claims in the present application are believed to be patentably distinguished over these references.

This prior art disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designed in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the German Search Report by a foreign examiner in which the references were cited.

HAYES, SOLOWAY,
HENNESSEY, GROSSMAN
& HAGE, P.C.
P.O. BOX 3042
130 W. CUSHING ST.
TUCSON, AZ 85702-3042

TEL. 520.882.7623 FAX. 520.882.7643 The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted therewith.

The enclosed Prior Art Statement is being submitted within three months of receipt of the German Search Report, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this prior art disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted

Norman P. Soloway Attorney for Applicant

Reg. No. 24,315

## **CERTIFICATE OF MAILING**

Bv·

HAYES, SOLOWAY,
HENNESSEY, GROSSMAN
& HAGE, P.C.
P.O. BOX 3042
130 W. CUSHING ST.
TUCSON, AZ 85702-3042

TEL. 520.882.7623 FAX. 520.882.7643

| IDE                     |                    |  |   |                          | Docket Number (Optional) PRINZ H17-3  |                  | Application Number 09/911,067 |                      |                   |
|-------------------------|--------------------|--|---|--------------------------|---------------------------------------|------------------|-------------------------------|----------------------|-------------------|
|                         | INFO               | MATION IN SCLOSUR<br>(Use several Sees if neces.                         | RE CITATION sary)                           |                          | Applicant(s) LODDOCH et al.           |                  |                               |                      |                   |
|                         | JAN 1 1 2002 13    |  |   |                          | Filing Date July 23, 2001             |                  | Group Art Unit                |                      |                   |
|                         | É                  |  |   | U.S. PAT                 | ENT DOCUMENTS                         |                  |                               |                      |                   |
| EXAMINER<br>INITIAL     | REF                | TACOMENT NUMBER  | DATE  |                          | NAME                                  | CLASS            | SUBCLASS                      |                      | G DATE<br>OPRIATE |
|                         | _                  | 5,987,202  | 11/16/99                                    | GRUENWALD ET AL.         |                                       | 385              | 49                            |                      |                   |
| <del>.</del>            |                    | 4,778,240  | 10/18/88                                    | KOMA                     | TSU                                   | 350              | 96.20                         |                      |                   |
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|                         | <del></del>        |  | <del></del>                                 | FOREIG                   | N PATENT DOCUMENTS                    | 5                |                               | <b>r</b> · · · · · · |                   |
|                         | REF                | DOCUMENT NUMBER  | DATE  |                          | COUNTRY                               | CLASS            | SUBCLASS                      | Translation YES NO   |                   |
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|                         |                    | 198 51 265   | 18.05.00                                    | GERMANY                  |                                       | G 02 B           | 6/42                          | 1                    |                   |
|                         |                    | 0 139 493  | 26.10.88                                    | EP                       |                                       | G 02 B           | 6/42                          | <b>✓</b>             |                   |
|                         |                    | 195 47 941   | 25.7.98                                     | GERMA                    | ANY                                   | G 02 B           | 6/42                          | 1                    |                   |
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| EXAMINEI<br>considered. | R: Initi<br>Includ | al if citation considered, whether<br>te copy of this form with next con | or not citation is in<br>nmunication to app | n conformanc<br>blicant. | e with MPEP Section 609;              | Draw line throug | th citation if not in         | n conforma           | nce and not       |
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